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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,778	04/12/2005	Satoru Kobayashi	040894-7100	7967
9629	7590	01/23/2006	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			VAN, QUANG T	
			ART UNIT	PAPER NUMBER
			3742	
DATE MAILED: 01/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/508,778

Applicant(s)

KOBAYASHI ET AL.

Examiner

Quang T. Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/23/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Specification***

2. The abstract of the disclosure is objected to because the legal phraseology such as "**comprises**" or "comprising" often used in patent claims should be avoided in the abstract. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukunaga (EP 1018358A1) cited by applicants. Fukunaga discloses an adsorbing device method of deodorizing comprising the steps of irradiating a microwave or applying a high-frequency wave to the adsorbent containing the adsorbed substance (par. 0034) in the presence of a magnetic material having a Curie point of from 50-350°C to thereby allow the magnetic material to generate heat and to simultaneously heat the adsorbent by the generated heat (par. 0027).
5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by DE19703068A1 cited by applicants. DE19703068A1 discloses method of deodorizing

comprising the steps of irradiating a microwave or applying a high-frequency wave to the adsorbent containing the adsorbed substance (col. 1, lines 40-65) in the presence of a magnetic material having a Curie point of from 50-350<sup>0</sup>C to thereby allow the magnetic material to generate heat and to simultaneously heat the adsorbent by the generated heat (page 4, lines 9-37).

6. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by JP61101229A cited by applicants. JP61101229A discloses dehumidification apparatus comprising the steps of irradiating a microwave or applying a high-frequency wave to the adsorbent containing the adsorbed substance in the presence of a magnetic material having a Curie point of from 50-350<sup>0</sup>C to thereby allow the magnetic material to generate heat and to simultaneously heat the adsorbent by the generated heat (abstract).

7. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Mezey et al (US 4,322,394). Mezey discloses an adsorbent regeneration and gas separation utilizing microwave heating comprising the steps of irradiating a microwave or applying a high-frequency wave to the adsorbent containing the adsorbed substance in the presence of a magnetic material having a Curie point of from 50-350<sup>0</sup>C to thereby allow the magnetic material to generate heat and to simultaneously heat the adsorbent by the generated heat (col. 9, lines 39-68 and col. 10, lines 1-9)

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Fukunaga (US 6,379,435) discloses an adsorbing device and method of deodorizing.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T. Van whose telephone number is 571-272-4789. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV  
January 19, 2006



Quang T Van  
Primary Examiner  
Art Unit 3742